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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/682,118

10/10/2003

Chih-Song Liu

BHT-3092-391

8192

7590

03/26/2004

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EXAMINER

SCOTT, JAMES R

ART UNIT

PAPER NUMBER

2832

DATE MAILED: 03/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/682,118

Applicant(s)

LIU ET AL

Examiner

James R Scott

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10/10/03 AND 1/30/04.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

The drawings are objected to because the depending walls containing holes 42 should be labeled in figure 1. In figures 2 and 3, on the bottom of the housing, the black is objected to. In the same figures the components 4,5,35,34,3,142,14, and 1 should be illustrated as plastics type material. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### **Specification**

The disclosure is objected to because of the following informalities: The specification contains terms or phraseology which is not clear, concise and exact. The specification should be revised carefully to eliminate any idiomatic errors. Examples of some unclear, inexact or verbose terms used in the specification are: On page 4, lines 18 note the phraseology: The axial joint member 3 has shape of plate--. Any other errors applicants may become aware of should be corrected.

Update the status of the U.S. application mentioned in the specification which has been assigned a patent number. Any other errors applicants may become aware of should be corrected.

Appropriate correction is required.

### Claims

The claims are objected to since the claims contain idiomatic errors.

Claim 1, line 6 change –locating- to- located--.

Claim 1, line 9 verify what is meant by 'lap joining'.

Claim 1, lines 10 and 11, clarify what is meant by the phraseology –  
“providing....extending a joining plate”.

Line 17, change “contacting” to “engaging”;

Line 23 before –an- insert –when-;

Line 24 change –contacts- to –engage- and change –detaches- to –detach-.

Line 26 –performing- could be changed to read as –turning-.

Claim 2, line 2 cancel –a—first two occurrences; same line change –extends-  
...respectively -- to ---includes an outwardly extending bow-shaped buckle--.

Noting claim 3 there is no elastic lock recited in claims 1 and 2. Clarify as to what structure constitutes the elastic lock.

Claim 5 does not clearly state the nature of the nodal points. Do the points interact?

Noting claim 7 the axial joint member is referred to as having two opposite axial plates. The specification refers to the axial joint member as a member, which has a shape of a plate, not plates.

Claim 9 is objected to for the same reasons as claim 1.

Any other errors applicant may become aware of should be corrected.

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### Cited References

Osika (407A1, 073A1), Martin et al, Theurer, Fein et al, Creech and Lin constitute prior art related to hermetically sealed switches, in particular rocker switches. These patents constitute part of the prior art cited in the application referred to in applicants' specification. The Examiner cites Takeda et al, Chan et al and Arlauskas as additional prior art rocker switches with hermetic sealing means.

### Summary

This application is in condition for allowance except for the following formal matters: Note the above comments with respect to the drawings specification and claims. Claims 1-10 are objected to but otherwise appear allowable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R Scott who can be reached at **(571) 272-1999 after 2/03/2004**. The examiner can normally be reached on weekdays from 1 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad, can be reached at **(571) 272-1990 after 2/03/2004**. **Effective immediately, all patent application related correspondence transmitted by FAX to the USPTO must be directed to the central FAX number (703-872-9306).**

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213. A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

JRScott: jrs

3/13/2004

*JR Scott*  
J. R. Scott  
Primary Examiner  
GAU 2832